

1 THOMAS E. FRANKOVICH (State Bar No. 074414)
JENNIFER L. STENEBERG (State Bar No. 202985)
2 JULIA M. ADAMS (State Bar No. 230795)
THOMAS E. FRANKOVICH,
3 *A Professional Law Corporation*
2806 Van Ness Avenue
4 San Francisco, CA 94109
Telephone: 415/674-8600
5 Facsimile: 415/674-9900

E-filed 5/19/06

6 Attorneys for Plaintiffs JAREK MOLSKI
7 and DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

0 JAREK MOLSKI, an individual; and)
1 DISABILITY RIGHTS ENFORCEMENT,)
2 EDUCATION, SERVICES:HELPING YOU)
3 HELP OTHERS, a California public benefit)
4 corporation,)
5 Plaintiffs,)
6 v.)
7 A.W. SHUCKS; NANCY L. HOLM, dba)
A.W. SHUCKS,)
Defendant.)

CASE NO. C04-04646 PVT
**NOTICE OF VOLUNTARY DISMISSAL
AND [PROPOSED] ORDER THEREON**

Plaintiffs Jarek Molski and Disability Rights Enforcement, Education Services, by and through their counsel notice the dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. Plaintiffs further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. See Kokonen v. Guardian Life Ins. Co., 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

26 | //

27 | //

28 | //

1 Therefore, IT IS HEREBY NOTICED by plaintiffs to this action that the above-
2 captioned action be and hereby is dismissed with prejudice pursuant to Federal Rules of Civil
3 Procedure section 41(a)(1).

4
5 Dated: May 16, 2006

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

6
7 By: /s/
8 Julia M. Adams
9 Attorneys for Plaintiffs JAREK MOLSKI and
DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES:HELPING YOU
HELP OTHERS
10
11

12 **ORDER**

13
14 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
15 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for
16 the purpose of enforcing the parties' Settlement Agreement and General Release should such
17 enforcement be necessary.
18

19 Dated: 5/19, 2006



20
21 Magistrate Judge Patricia V. Trumbull
United States Magistrate Judge
22
23

24 United States District Court Judge Jeremy Fogel
25
26
27
28